

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JACK REESE, JAMES CICHANOFSKY,
ROGER MILLER,
and GEORGE NOWLIN on
behalf of themselves and
a similarly situated class,
Plaintiffs,
v.

Hon. Patrick J. Duggan

Case No. 04-70592

Class Action

CNH GLOBAL N.V., formerly
known as Case Corporation,
and THE COMPANY LLC,

Defendants.

**PLAINTIFFS' MOTION TO SUBMIT SIMPLE EXPERT
DECLARATIONS IN SUPPORT OF PREVIOUSLY
FILED EXPERT WITNESS REPORTS**

Now come the Plaintiffs and move this Honorable Court as follows:

1. Plaintiffs submitted, as exhibits, the expert reports of four expert witnesses: Mark Lynne, Suzanne Daniels, Theo Francis and Wilsetta McClain.

2. The various reports of the experts were exhibits to Docket No. 419, Plaintiffs' Motion for Summary Judgment, Docket No. 425, Plaintiffs' Response to CNH's Motion for Summary Judgment, and Docket No. 428, Plaintiffs' Motion to Strike CNH's experts.

3. Plaintiffs disclosed the reports to Defendants per the Scheduling Order in a timely manner. However, Plaintiffs did not supplement the reports with a declaration from the expert stating that the reports contain their opinions and that they will truthfully testify to the content of the reports at trial when the reports were submitted as exhibits.

4. Although three of the experts were deposed, and so testified at deposition, CNH argued the omission in its response to Plaintiffs' Motion to Strike CNH's experts. In light of the foregoing, Plaintiffs hereby submit the declarations, attached hereto as Exhibit A, in alphabetical order.

5. Plaintiffs requested concurrence in this motion as required by the Local Court Rules but were unable to obtain concurrence.

WHEREFORE Plaintiffs request that the Court accept the declarations which simply attest to the representations and opinions contained in their previously disclosed expert reports.

Respectfully submitted,

McKNIGHT, McCLOW, CANZANO,
SMITH & RADTKE, P.C.

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Dated: June 27, 2014

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EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JACK REESE, JAMES CICHANOFKY,
ROGER MILLER,
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Hon. Patrick J. Duggan

Case No. 04-70592

Class Action

CNH GLOBAL N.V., formerly
known as Case Corporation,
and THE COMPANY LLC,

Defendants.

**BRIEF IN SUPPORT OF PLAINTIFFS' MOTION TO SUBMIT SIMPLE
EXPERT DECLARATIONS IN SUPPORT OF PREVIOUSLY
FILED EXPERT WITNESS REPORTS**

For the reasons stated in the foregoing Motion, Plaintiffs request that the Court accept the declarations which simply attest to the representations and opinions contained in their previously disclosed expert reports.

Respectfully submitted,

McKNIGHT, McCLOW, CANZANO,
SMITH & RADTKE, P.C.

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Dated: June 27, 2014

CERTIFICATE OF SERVICE

I hereby certify that on June 27, 2014 I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will serve it on all parties.

Respectfully submitted,

McKNIGHT, McCLOW, CANZANO,
SMITH & RADTKE, P.C.

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